

REMARKS

Claims 1-37 are pending in the application. Claims 7, 18, 26, and 34 have been amended. No new matter is introduced by these amendments.

Rejections under 35 USC 102

Claims 1-37 were rejected as being anticipated by US Patent No 6,090,217 to Kittle. The Applicants respectfully request that the Examiner reconsider these rejections in light of the arguments below.

Claims 1 and 13 are directed toward methods of removing a layer of a substrate surface. Claim 1 includes the features of providing at least one encapsulating transport, the encapsulating transport containing at least some reactive gas; applying the at least one encapsulating transport to the layer, the layer being a chemically reactive layer; and wherein the encapsulating transport ruptures on the chemically reactive layer and releases the reactive gas onto the chemically reactive layer to facilitate removal of the layer from the substrate surface. In paragraph 2 of the Office action the Examiner refers to Kittle disclosing the encapsulating transport, reactive gas for removing organic material and a surfactant. There is no analysis whatsoever and the Office action rejects all claims based on this one sentence. The applicants respectfully request that the Examiner specify how Kittle discloses removal of a layer from a surface of a substrate when an encapsulating transport ruptures to release a chemically reactive gas that facilitates the removal of the layer with a reaction inducing agent as specified in claim 2. The Examiner never mentions a reaction inducing agent and how that feature is disclosed in the single sentence of analysis provided to the Applicants. In addition, the Examiner cites argon as a reactive gas. Applicants respectfully request that the Examiner elaborate how Argon,

a gas known for its inert characteristics is a reactive gas that causes removal of a layer of a substrate along with a reaction inducing agent. Furthermore, Kittle is concerned with cleaning of substrates (see abstract, column 1, lines 5-12), i.e., the removal of contaminants from the surface of a substrate. There is no mention of removing a layer of the substrate in Kittle.

Claim 1 uses the encapsulating transport containing a reactive gas to bring the reactive gas proximate to the layer to be removed. The encapsulating transport is then ruptured and the reactive gas in the presence of both the layer to be removed and the reaction inducing agent (of claim 2), facilitates the removal of the layer on the substrate. Kittle simply does not disclose each feature of this method. Claims 2-12 depend from claim 1 and are not anticipated by Kittle for at least these reasons. Applicants would also like to point out that the reactive gases/combinations specified in claim 7 are not disclosed in Kittle.

Claim 13 includes the features of mixing the reactive gas and the reaction inducing agent to generate at least one encapsulating transport, the encapsulating transport containing at least some of the reactive gas; and applying the at least one encapsulating transport to the layer, the layer being a chemically reactive layer; wherein the encapsulating transport ruptures on the chemically reactive layer and releases the reactive gas onto the chemically reactive layer to facilitate removal of the layer from the substrate surface. As mentioned above Kittle fails to teach or disclose these features and the Examiner has not provided any analysis as to where these features are taught by Kittle, as Kittle specifies a method for cleaning a substrate and not removing a layer of a substrate. The Applicants respectfully request that the Examiner elaborate the reasoning for removing a layer from the substrate by Kittle and essentially damaging the surface of the substrate during a cleaning operation.

Claims 14-19 depend from claim 13 and are not anticipated by Kittle for at least the above stated reasons.

Claim 20 includes the feature of an application unit, the application unit configured to receive at least one encapsulating transport, the at least one encapsulating transport containing at least some reactive gas, wherein the encapsulating transport is capable of being applied to the layer to cause a reaction between the layer and the reactive gas when the encapsulating transport ruptures on the layer. As mentioned above, Kittle does not disclose an application unit for applying a encapsulating transport to a layer of a substrate so that a reaction occurs when the transport ruptures. Claims 21-29 depend from claim 20 and are not anticipated for at least these reasons.

Claim 30 includes the features of an application unit, the application unit configured to receive a combination of the reactive gas obtained from the reactive gas source and the reaction inducing agent obtained from the reaction inducing agent source to produce at least one encapsulating transport, the at least one encapsulating transport containing at least some of the reactive gas; wherein the encapsulating transport is capable of being applied to the layer to cause a reaction between the layer and the reactive gas when the encapsulating transport ruptures on the layer. As mentioned above, Kittle does not disclose this feature. Claims 31-37 depend from claim 30 and are patentable over Kittle for at least these reasons.

Applicants respectfully submit that the amendments to claims 7, 18, 26, and 34 will not require a new search as each of the independent claims were not amended and the Examiner has not provided any reference to all of the features of the independent claims and the reaction inducing agent of claims 2, 14, 21, and 31.

In view of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance, as allowable features have been incorporated into each independent claim. A notice of allowance is respectfully requested. If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6921. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. LAM2P422). A copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP



Michael L. Gencarella, Esq.
Reg. No. 44,703

Martine Penilla & Gencarella, LLP
710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
Tel: (408) 774-6921
Customer Number 25920